

EXHIBIT K

Estate of John Canari

VCF Documentation



September 11th
Victim Compensation Fund

August 8, 2018

DONNA CANARI

[REDACTED]

Dear DONNA CANARI:

The September 11th Victim Compensation Fund ("VCF") has reviewed your Eligibility Form. You submitted an Eligibility Form on behalf of JOHN CANARI. Your claim number is VCF0097706. Your Eligibility Form was determined to be substantially complete on August 07, 2018. As stated in the Regulations and on the claim form, by filing a substantially complete Eligibility Form, you have waived your right to file or be a party to a September 11th-related lawsuit on behalf of the decedent and his or her survivors.

The Decision on your Claim

The VCF has determined that the decedent has met the eligibility criteria established in the statute and regulations. Based on the information you submitted and information the VCF has received from the World Trade Center ("WTC") Health Program, the decedent has been found eligible for the following injuries:

- MALIGNANT NEOPLASM OF PANCREAS
- MALIGNANT NEOPLASM OF TESTIS

Please note that there are several reasons why an injury that you think should be eligible is not listed above. For non-traumatic injuries, the name of the injury is based on the information provided by the WTC Health Program and there may be different names for the same injury. Additionally, your injury may not be listed if it was only recently certified for treatment by the WTC Health Program.

If in the future the WTC Health Program should notify you that a condition previously found eligible is no longer certified, you must inform the VCF as this may affect your eligibility status and/or the amount of your award.

What Happens Next

If the decedent was certified for treatment by the WTC Health Program for a condition not listed above, you should amend your claim. Please see the VCF website for details on how to amend your claim. The VCF will review the new information and determine if it provides the basis for a revised decision.

If you believe the decedent had eligible injuries not treated by the WTC Health Program and you would like the VCF to consider those injuries before calculating the amount of any compensation, you should amend your claim. If you choose to amend your claim, you will need



September 11th
Victim Compensation Fund

to use the VCF Private Physician process. The Private Physician process is a way for the VCF to gather the required information about the decedent's treatment in order to process your claim. All forms are available on the VCF website under "Forms and Resources." The website also includes detailed information and instructions on the Private Physician process.

If the decedent did not have injuries other than those listed above, you should submit your Compensation Form and required supporting materials. If you have already submitted your Compensation Form, you do not need to take any action at this time unless you receive a request from the VCF for missing information. The VCF will calculate the amount of any compensation based on the conditions listed above after all compensation-related documents are submitted.

If you have questions about the information in this letter or the claims process in general, please call our toll-free Helpline at 1-855-885-1555. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.

Sincerely,

Rupa Bhattacharyya
Special Master
September 11th Victim Compensation Fund

cc: WENDELL TONG



September 11th
Victim Compensation Fund

May 24, 2019

DONNA CANARI

[REDACTED]

Dear DONNA CANARI:

The September 11th Victim Compensation Fund ("VCF") sent you a letter on January 04, 2019 notifying you of the decision on your claim and the amount of your award. Your claim number is VCF0097706. That letter included a request for documents that were missing from your claim and are required in order to process your payment. The VCF has since received the requested documents and this letter provides the details of your award and information on the next steps to be taken on your claim.

Based on the information you submitted, the VCF has calculated the amount of your eligible loss as [REDACTED]. This determination is in accordance with the requirements of the Reauthorized Zadroga Act. The enclosed "Award Detail" includes a detailed explanation of the calculation and a list of the eligible conditions included in this determination.

Please note: The VCF completed the substantive review of your claim prior to February 25, 2019, and the amount of your award was not impacted by the Special Master's determination that the VCF's funding is insufficient to compensate all pending and projected claims. Additional information about the determination of funding insufficiency and the changes that became effective on February 25, 2019, can be found at <https://www.vcf.gov/fundinginsufficiency.html>.

The VCF policy regarding compensation for past out-of-pocket medical expenses requires that the claim for medical expenses must be submitted as a compensation amendment to your claim after you have received your initial award determination. As a result, the VCF did not consider your claim for medical expense loss at this time. You may still seek compensation for medical expenses you have paid out-of-pocket by filing an amendment if your claimed, documented out-of-pocket expenses exceed the \$5,000.00 minimum threshold established by the VCF. The policy regarding medical expense loss can be found in the "Policies and Procedures" document under "Forms and Resources" on the www.vcf.gov website. The website also includes detailed instructions on how to amend your claim, and the specific documentation that is needed when claiming out-of-pocket medical expenses.

Lost earnings prior to Mr. Canari's death were not awarded, as he had not been found disabled by a government entity prior to his passing. Future lost earnings were not awarded because Mr. Canari had passed the age at which the VCF assumes that worklife ends and because he was already receiving retirement benefits from several sources.

No non-routine legal service expenses are approved for reimbursement for this claim.



September 11th
Victim Compensation Fund

As the Personal Representative, you are required to distribute any payment received from the VCF on behalf of the victim to the eligible survivors or other recipients in accordance with the applicable state law or any applicable ruling made by a court of competent jurisdiction or as provided by the Special Master.

What Happens Next

The VCF will deem this award to be final and will begin processing the payment on your claim unless you complete and return the enclosed Compensation Appeal Request Form within **30 days from the date of this letter** as explained below. If you do not appeal, the Special Master will authorize the payment on your claim within 20 days of the end of the 30-day appeal period. Once the Special Master has authorized the payment, it may take up to three weeks for the United States Treasury to disburse the money into the bank account designated on the VCF ACH Payment Information Form or other payment authorization document you submitted to the VCF.

- **Appealing the Award:** You may request a hearing before the Special Master or her designee if you believe the amount of your award was erroneously calculated or if you believe you can demonstrate extraordinary circumstances indicating that the award does not adequately address your claim. **If you choose to appeal, your payment will not be processed until your appeal has been decided.**

To request a hearing, you must complete and return the enclosed Compensation Appeal Request Form **and** Pre-Hearing Questionnaire no later than **30 calendar days** from the date of this letter. The VCF will notify you in writing of your scheduled hearing date and time and will provide additional instructions to prepare for your hearing. If both forms are not submitted with complete information within 30 days, you have waived your right to appeal and we will begin processing your payment.

- **Amending your Claim:** You may amend your claim in the future if your circumstances change and you have new information to provide to the VCF. For example, you may amend if the WTC Health Program certifies additional physical conditions for treatment, if you have information in support of your claim that was not submitted to the VCF when your award was determined and that you believe would affect the amount of your award, or if you have incurred additional economic loss due to an eligible condition. The VCF will review the new information and determine if it provides the basis for a revised decision. Please see the VCF website for additional details on how to amend your claim and the specific circumstances that may be appropriate to request an amendment.
- **Notifying the VCF of new Collateral Source Payments:** You must inform the VCF of any new collateral source payments you receive, or become entitled to receive, such as a change to your disability or survivor benefits, as this may change the amount of your award. If you notify the VCF within 90 days of learning of the new collateral source payment, your award will not be adjusted to reflect the new entitlement or payment. If you notify the VCF more than 90 days after learning of the new or revised entitlement or payment, the VCF may adjust your award to reflect the new payment as an offset, which may result in a lower award. If you need to notify the VCF of a new collateral source



September 11th
Victim Compensation Fund

payment, please complete the "Collateral Offset Update Form" found under "Forms and Resources" on the www.vcf.gov website.

Your award was calculated using our published regulations, and I believe it is fair and reasonable under the requirements of the Reauthorized Zadroga Act. As always, I emphasize that no amount of money can alleviate the losses suffered on September 11, 2001.

If you have any questions, please call our toll-free Helpline at 1-855-885-1555. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.

Sincerely,

Rupa Bhattacharyya
Special Master
September 11th Victim Compensation Fund

cc: WENDELL TONG



September 11th
Victim Compensation Fund

Award Detail

Claim Number: VCF0097706
Decedent Name: JOHN CANARI

| PERSONAL INJURY CLAIM (Losses up to Date of Death) | |
|---|---------------|
| Lost Earnings and Benefits | |
| Loss of Earnings including Benefits and Pension | \$0.00 |
| Mitigating or Residual Earnings | \$0.00 |
| Total Lost Earnings and Benefits | \$0.00 |
| Offsets Applicable to Lost Earnings and Benefits | |
| Disability Pension | \$0.00 |
| Social Security Disability Benefits | \$0.00 |
| Workers Compensation Disability Benefits | \$0.00 |
| Disability Insurance | \$0.00 |
| Other Offsets related to Earnings | \$0.00 |
| Total Offsets Applicable to Lost Earnings | \$0.00 |
| Total Lost Earnings and Benefits Awarded | \$0.00 |
| Other Economic Losses | |
| Medical Expense Loss | \$0.00 |
| Replacement Services | \$0.00 |
| Total Other Economic Losses | \$0.00 |
| Total Economic Loss | \$0.00 |
| Total Non-Economic Loss | |
| Subtotal Award for Personal Injury Claim | |



September 11th
Victim Compensation Fund

| DECEASED CLAIM (Losses from Date of Death) | |
|--|---------------|
| Loss of Earnings including Benefits and Pension | |
| Offsets Applicable to Lost Earnings and Benefits | |
| Survivor Pension | |
| SSA Survivor Benefits | |
| Worker's Compensation Death Benefits | |
| Other Offsets related to Earnings | |
| Total Offsets Applicable to Loss of Earnings and Benefits | \$0.00 |
| Total Lost Earnings and Benefits Awarded | \$0.00 |
| Other Economic Losses | |
| Replacement Services | |
| Burial Costs | |
| Total Other Economic Losses | |
| Total Economic Loss | |
| Non-Economic Loss | |
| Non-Economic Loss - Decedent | |
| Non-Economic Loss - Spouse/Dependent(s) | |
| Total Non-Economic Loss | |
| Additional Offsets | |
| Social Security Death Benefits | |
| Life Insurance | \$0.00 |
| Other Offsets | |
| Total Additional Offsets | |
| Subtotal Award for Deceased Claim | |



September 11th
Victim Compensation Fund

| Subtotal of Personal Injury and Deceased Claims | |
|---|--------|
| PSOB Offset | \$0.00 |
| Prior Lawsuit Settlement Offset | \$0.00 |
| TOTAL AWARD | |
| Factors Underlying Economic Loss Calculation | |
| Annual Earnings Basis (without benefits) | |
| Percentage of Disability attributed to Eligible Conditions - applicable to Personal Injury losses | |
| Start Date of Loss of Earnings Due to Disability - applicable to Personal Injury losses | |

| Eligible Conditions Considered in Award | |
|--|--|
| Malignant Neoplasm of Pancreas | |
| Malignant Neoplasm of Testis | |

Family Member Affidavits

Donna Canari

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

In Re:

TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

----- X
RAYMOND ALEXANDER, et al.,

**AFFIDAVIT OF
DONNA CANARI**

Plaintiffs,

21-CV-03505 (GBD)(SN)

V.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

----- X

STATE OF NEW YORK)
: SS
COUNTY OF SUFFOLK)

Donna Canari, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at
[REDACTED]

2. I am currently 70 years old, having been born on [REDACTED]

3. I am the spouse of Decedent, John Canari, upon whose death my claim is based, and submit this Affidavit in connection with the present motion for a default judgment and in support of my solatium claim. On December 15, 2015, I was issued Letters Testamentary as Executrix of my husband's estate by the Suffolk County Surrogate's Court.

4. My husband passed away from pancreatic cancer with metastasis to the lung on December 15, 2015, at the age of 66. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks

at the World Trade Center.

5. My husband, John Canari, brought great joy and love into my life during our 41 years of marriage. His passing on December 15, 2015, was a heart-wrenching loss that I continue to feel deeply. John and I were fortunate to spend a few of our retirement years together, creating beautiful memories and treasuring each moment. Our two daughters, two son in law's and three young grandchildren were a constant source of delight for us. John's relationship with them was incredibly special; he was a devoted and loving grandfather who drove them to and from school every day. John was a truck driver for Breeze Demolition/Amanda Carting. He retired in 2006. We loved to travel and explore new places, from the sandy beaches of Florida to the vibrant energy of Atlantic City. These vacations allowed us to deepen our connection and create memories together. Our home was always filled with laughter, as we entertained friends and family on a regular basis. John had a passion for swimming and spent countless hours enjoying the water, especially with our grandchildren. He had a way of making everyone feel welcome, creating an environment of love and togetherness. One particularly special memory that has left a lasting impact on my life was our commitment to recycling. John was very passionate about it, and he instilled that value in me as well. His dedication to protecting the environment and making a positive impact on the world around us was truly inspiring. Above all, John's love for his family was unwavering. He enjoyed every moment spent with me, our daughters, son-in-law, grandchildren, and our extended family and friends. His presence brought light and joy to our lives. While his physical presence may be gone, the love we shared and the memories we created remain alive in my heart. John's impact on my life is immeasurable. We were robbed of our Golden Years together.

6. Although John wasn't at the WTC Exposure Zone on September 11th, he was

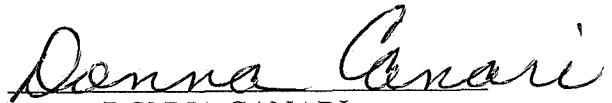
nearby, at a garbage landfill. From there, he witnessed both planes hitting the World Trade Center. Later on, he became part of the Breeze Demolition/Amanda Carting team, working at the WTC Exposure Zone. His task was to fill his truck with debris from the zone, a duty he performed for about six months. John dedicated himself to this work, spending mornings, noon's and nights there, even sleeping on site. During this period, he chose to be away from his family to support the victims and their families, not realizing he would become a victim himself.

7. I watched my beloved husband, John go through an unimaginable journey when his pancreatic cancer took hold. The pain he endured was heart-wrenching, as his body struggled against both the cancer and his worsening type two diabetes. Seeing him transition from oral medications to injecting himself with insulin was a painful reminder of the challenges he faced. The pain in his abdomen was a constant presence, a cruel reminder of the battle within him. When he began chemotherapy, his legs swelling with fluid was another blow to his already fragile state. I could see the redness and soreness in his legs, and it broke my heart to witness his discomfort. His energy faded away, and he experienced moments where he couldn't control his own body. It was incredibly difficult to witness my strong and vibrant husband go through such vulnerability. The cancer's spread to his lungs robbed him of his breath and mobility. Watching him struggle for air was a painful sight, and his once-active lifestyle was replaced by a constant battle to move. The loss of his hair, the fatigue, the vanishing appetite – it was all so hard to bear. Even the simple act of eating became a challenge as everything tasted metallic. Our outings together became rare as his energy diminished. He was in and out of the hospital, and it was heartbreakingly when he couldn't be there for our daughter's birthday. The illness had taken over his life, and we were left with memories of happier times, but also a determination to support him through every moment. Through it all, I stood by his side, holding his hand, offering comfort, and trying to bring warmth

to his days. The journey was tough, and there were moments of despair, but the love between us remained strong. John's battle was not just his own, but ours to face together. And though his physical presence may have faded, the memories of our shared moments and his strength in the face of adversity will forever remain in my heart.

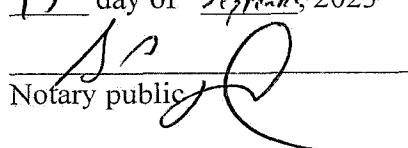
8. Losing John, my husband of 42 years, was a heartbreak that words can hardly express. He wasn't just my husband; he was my confidant, my travel companion, my best friend and my rock. Our love story was woven into every corner of our family home, and his absence left an emptiness that was impossible to ignore. The pain of his passing was compounded by the fact that our children lost their father, and our grandchildren lost their cherished grandfather – a man who brought so much joy and wisdom to their lives. Selling our family home was a painful decision, but it became a necessary one. The five-bedroom house that once echoed with laughter and love became overwhelming to manage all by myself. Every room held memories of our life together, and the thought of being surrounded by them while he was no longer there was an agony I couldn't bear. The trips we had wanted to go on together are now just dreams that will never come true. The places we planned to visit and the exciting things we talked about doing are now sad reminders of what we can't do anymore. I really miss being able to share those experiences with him, and it hurts a lot. Our circle of friends had always been couples, and I suddenly found myself as the third wheel. Their gatherings, once sources of comfort and joy, now highlighted the void beside me. The conversations, the laughter – they all seemed to emphasize the absence of the one person who had always been by my side. The illness that took John away from us not only robbed me of my partner, but it altered the very fabric of our lives. It reshaped my daily routines, shattered our plans, and left a indelible mark on my heart. The pain is a reminder of the deep love we shared, but it's also a testament to the profound loss that I continue to grapple with. In this new chapter without him, I

carry his memory with me, drawing strength from the love we had and finding solace in the legacy he left behind.


DONNA CANARI

Sworn before me this

15th day of September 2023


Notary public

Garrin C Lanning
Notary Public State of New York
No. 01LA6382861
Qualified in Suffolk County
Commission Expires November 5, 2026